

Message Text

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PAGE 01 TOKYO 00761 191322Z

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ACTION AGR-08

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P 191240Z JAN 76

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 6174

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DEPT PASS AGRICULTURE FOR HUME AND FITZSIMMONDS

E.O. 11652: N/A

TAGS: ETRD EAGR JA

SUBJ: CITRUS/WAXES

REF: TOKYO 0680, FASTO 22, FASTO 27, 75 TOFAS 821

1. SUMMARY. ALTHOUGH IMPORTERS AND EXPORTERS HAVE BOTH KNOWN FOR SOME TIME THAT WAXES COULD BE PROBLEM, FULL REALIZATION OF GRAVITY OF PROBLEM DIDN'T REACH IMPORTERS UNTIL JAN 13. AGATT REPS MET AGAIN WITH MHW TODAY (JAN 19) AND LEARNED THAT POLI-PALE WAXES STILL UNDER STUDY. MAJORITY OF MHW OFFICIALS INVOLVED REPORTEDLY FAVOR SOONEST DECLARATION THAT POLI-PALE NATURAL, BUT MINORITY IS HOLDING OUT FOR DETAILED INFO ON HOW IT IS MANUFACTURED. THIS INFO EXPECTED FROM FMC/TOKYO TOMORROW (JAN 20). PLEASE CONFIRM THAT IF MHW DECLARES POLI-PALE NATURAL (HENCE NOT COVERED BY NEW REG) THIS WOULD SOLVE PROBLEM FROM U.S. VIEW POINT.

2. FURTHER, BY WAY OF BACKGROUND, AGATT FIRST REPORTED NEW REGULATION VIA TOFAS 821 OF DEC 11, 1975. THE TOFAS DOES NOT FOCUS ON CITRUS ADDITIVES, BUT NEITHER DOES NEW REG. FITZSIMMONDS VISITED WITH MHW DR NAKAMURA ET AL ON DEC 12 AT MHW REQUEST. AT THIS MEETING MHW EXPLAINED NEW REG AND STATED IT WOULD BECOME EFFECTIVE MARCH 1. MHW AT SAME MTG REQUESTED COMPOSITION OF WAXES AND INKS USED ON U.S. CITRUS BEING SHIPPED TO JAPAN. MHW'S INTERPRETATION

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PAGE 02 TOKYO 00761 191322Z

IS THAT THIS INFO WAS PROMISED PROVIDED IT COULD BE OBTAINED

FROM EPA.

3. ALTHOUGH FUNGICIDE ISSUE OCCUPIED ATTENTION MAJOR U.S. CITRUS EXPORTERS FOR PAST SEVERAL MONTHS ALL HAVE BEEN AWARE OF POTENTIAL OF DIFFICULTY DEVELOPING RE BOTH WAXES AND INKS. FURTHER DISCUSSION ON THESE POTENTIAL DIFFICUTIES WERE MADE BETWEEN AGATT OFFICE AND TOP LEVEL SUNKIST EXECUTIVES VISITING TOKYO DURING FIRST WEEK DEC 1975 AND WITH SOME MAJOR FLORIDA CITRUS EXPORTERS VISITING TOKYO DURING SECOND WEEK DEC 1975. BUT STILL, IT WAS HOPED THAT MHW WOULD COOPERATE WITH IMPORTERS TO HELP MAINTAIN SMOOTH TRADE. MAJOR CONCERN AT TIME WAS FUNGICIDE ISSUE.

4. FOR FOUR WEEK PERIOD AFTER FITZSIMMONDS, SUNKIST, AND FLORIDA REPS DEPARTED JAPAN APPEARS VERY LITTLE SAID AMONG TRADERS ON SUBJECT DUE TO (A) NEW YEAR'S HOLIDAYS DURING WHICH VIRTUALLY ALL BUSINESS AND GOV OFFICES WERE CLOSED DOWN FOR ONE TO TWO WEEKS, (B) GOJ OFFICIALS BEING FULLY OCCUPIED PREPARING JFY 1976 BUDGET PROPOSALS, AND (C) TRADERS AND MHW GIVING PRIORITY ATTENTION TO FUNGICIDE ISSUE.

5. ALTHOUGH SOME IN TRADE APPARENTLY SENSED DEVASTATING EFFECT NEW REG COULD HAVE ON TRADE, FULL IMPACT OF SITUATION DID NOT SURFACE UNTIL MTG HELD BY IMPORTERS JAN 13. MHW REPS ATTENDED SAID MTG TO EXPLAIN REG AND ANSWER QUESTIONS. APPARENTLY IMPORTERS CONVINCED FOR FIRST TIME AT THIS MTG THAT MHW WAS SERIOUS AND HAD NO PLANS TO PROVIDE WAY OUT FOR IMPORTERS BY, FOR EXAMPLE, SUGGESTING SPECIAL WORDING FOR IMPORT APPLICATIONS, ETC.

6. HAVING ALREADY TAKEN CONSIDERABLE LOSSES DUE FIRST TO CARIBFLY PROBLEM IN JUNE AND JULY 1974 AND THEN THE FUNGICIDE PROBLEM BEGINNING APRIL 1975, IMPORTERS APPARENTLY CONCLUDED THEY NOT IN POSITION TO RISK FURTHER LOSSES. HENCE, ON JAN 14 AND/OR 15 SOME BEGAN TO CANCEL ORDERS.

7. AGATT OFFICE RECEIVED FIRST SIGN OF DEEP CONCERN AMONG IMPORTERS AT ASST SECY BELL RECEPTION HELD NIGHT OF JAN 13. JAN 14 FULLY OCCUPIED WITH BELL/HUTCHINSON/PENSE/ROSS VISIT AND JAN 15 NATL HOLIDAY.
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PAGE 03 TOKYO 00761 191322Z

8. MHW WAS CLEARLY UNAWARE OF GRAVITY OF MATTER UNTIL OFFICE OPERATIONS BEGAN AGAIN JAN 16 AND MESSAGES FROM JAPANESE EMB/ WASH BEGAN TO REACH THEM FROM FONOFF.

9. IN AGATT REPS DISCUSSIONS AT MHW JAN 16, MHW CONFIRMED THAT INKS NEED NOT REPEAT NOT BE DECLARED ON IMPORT APPLICATION, I.E., INKS ARE NOT DEFINED AS FOOD

ADDITIVES AND HENCE DO NOT FALL UNDER NEW REG (SEE 75 TOFAS 810 FOR MORE ON INK).

10. IN AGATT REPS MTG WITH MHW JAN 19, MHW OFFICIALS STATED THAT THEY HAD TOLD FONOFF THAT POSTPONING MARCH 1 EFFECTIVE DATE OF NEW REG INDEFINITELY WOULD BE MOST DIFFICULT. MHW ALSO CONFIRMED THEY MET WITH IMPORTERS SAT, JAN 17, AND SUGGESTED THERE IS NO REAL REASON WHY IMPORTS CAN'T BE RESUMED SINCE NATURAL WAXES NEED NOT BE DECLARED ON IMPORT APPLICATION AND THERE ARE FOUR FILM FORMING AGENTS ALREADY APPROVED FOR USE, VIZ OXYETHYLEN HIGHER ALIPHATIC ALCOHOL, SODIUM OLEATE, POLYVINYL ACETATE, AND MORPHORINE FATTY ACID SALT. (CONTACTS WITH TRADE INDICATE LITTLE OR NO CHANGE IN ATTITUDE AS RESULT THIS MTG. IMPORTERS APPARENTLY STILL FEEL RISK IS TOO HIGH TO RESUME TRADE.) OTHER POINTS LEARNED WERE (A) CUMARONE INDENE, ONE TYPE OF FLAVORSEAL WAX, IS CONSIDERED SYNTHETIC (UNNATURAL) BY MHW, BUT (B) POLY-PALE IS STILL UNDER STUDY, (C) MHW HAS REQUESTED FROM FMC/TOKYO STEP BY STEP PROCESS FOR MAKING POLI-PALE, AND EXPECTS ANSWER JAN 20 A.M., (D) MHW DOES NOT REPEAT NOT CONSIDER WAXES DERIVED FROM PETROLEUM AS NATURAL.

11. COMMENT. AT THIS POINT POSSIBLE SOLUTION APPEARS TO BE FOR MHW TO DECLARE POLI-PALE WAXES AS NATURAL. INFORMAL MHW SOURCES INDICATE THAT MAJORITY IN FOOD CHEM SEC FAVOR THIS APPROACH BUT MINORITY IS HOLDING OUT FOR MORE INFO ON PRODUCTION PROCESS. IF DECLARING POLI-PALE NATURAL WOULD SOLVE PROBLEM IN U.S. VIEW AS SUGGESTED REF C, PLEASE CONFIRM. SHOESMITH

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